

CONFIRMATION OF RUSSELL JOHN QUALLIOTINE, OF NEW YORK, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF NEW YORK

Mr. MOYNIHAN. Mr. President, I rise to express great appreciation for the confirmation of Russell John Qualliotine to be United States Marshal for the Southern District of New York. Hailing from Nesconset, New York, he served more than a quarter century with the New York City Police Department, retiring this past January. As an Officer of the NYPD, he held the position of Detective First Grade in the elite Personal Security Section of the Intelligence Division. The NYPD has given him four outstanding achievement awards, three awards for excellent police work, and one for meritorious service. From 1969 to 1972, he also served in the United States Army and earned an Army Commendation Medal.

In his roles as police detective and soldier, Mr. Qualliotine has displayed exemplary dedication, character, and professionalism. He is superbly qualified, and I am confident he will make an excellent United States Marshal.

#### EMERGENCY SUPPLEMENTAL APPROPRIATIONS

Mr. MCCAIN. Mr. President, I appreciate the opportunity to address the Senate once again on the subject of military construction projects added to an appropriations bill that were not requested by the Department of Defense. The bill that passed by voice vote prior to the July 4th recess contains more than \$1.5 billion in unrequested military construction projects. More importantly, I would like to spend a few minutes discussing Congress's role in the budget process and its utter lack of fiscal discipline. There is \$4.5 billion in pork-barrel spending in this bill, \$3.3 billion of that total in the so-called "emergency supplemental."

Webster's, Mr. President, defines "emergency" as "a sudden, generally unexpected occurrence or set of circumstances demanding immediate action." What we have here is the antithesis of that concept. It is highly questionable whether \$20 million for abstinence education should be included in a bill the purpose of which is to provide emergency funding that will not count against budget caps.

For months this body made a deliberate decision not to act quickly and deliberately with regard to legitimate spending issues involving military readiness and the crisis in Colombia. The decision was made not to treat these essential and time-sensitive activities as expeditiously as possible. Now, after many months and seemingly endless legislative maneuvering, we were presented with an \$11 billion bill replete with earmarks that under no credible criteria should be categorized as "emergency"—and this is

in addition to the over \$1.5 billion added to the underlying military construction appropriations bill for strictly parochial reasons.

As everyone here is aware, I regularly review spending bills for items that were not requested by the Administration, constitute earmarks designed to benefit specific projects or localities, and did not go through a competitive, merit-based selection process. I submit lists of such items to the CONGRESSIONAL RECORD, generally prior to final passage of the spending bill in question. In the case of the Military Construction bill for fiscal year 2001, I submitted such a list, along with a statement critical of the process by which that bill was put together, particularly the over \$700 million worth of military construction projects added to that bill that were not requested by the Department of Defense—an amount, I reiterate, that was doubled in conference with the other Body.

This is an institution that has proven itself incapable of passing legislation on an expedited basis that genuinely warrants the categorization of "emergency." Funding for ongoing military operations that strains readiness accounts is a case in point. The one thing, Mr. President, we can pass without hesitation and consideration is money for pork-barrel projects. Just prior to final passage back in May of the Military Construction appropriations bill, the Appropriations Committee pushed through \$460 million for six new C-130J aircraft for the Coast Guard—the very aircraft that we throw money at with wanton abandon as though our very existence as an institution is dependent upon the continued acquisition of that aircraft.

That funding and those aircraft are in the bill that emerged from conference with the House. A consensus exists, apparently, that we must have six more C-130Js in addition to the ones added to the defense appropriations bill despite a surplus in the Department of Defense of C-130 airframes that should see us through to the next millennium and beyond. And this, Mr. President, despite the General Accounting Office's finding, based upon the Coast Guard's own study, that the service's existing fleet of HC-130s will not need to be replaced until 2012-2027. And this, Mr. President, despite an ongoing Coast Guard-directed study designed to determine precisely what types and numbers of aircraft and surface vessels it will require in the future. Message to parents saving up for little junior's college education: invest in the stock of the company that makes C-130s; the United States Congress will ensure your offspring never need student loans.

Compared to the \$460 million for the C-130s, it hardly seems worth it to mention the \$45 million added to this emergency spending measure for yet another Gulfstream jet, other than to point out that it is manufactured in the same state as the C-130s. The deci-

sion to include funding for this jet, intended for the Coast Guard commandant, an emergency spending bill lends further credence to the notion that our interest in the integrity of the budget process is nonexistent.

It was reassuring that a compromise was reached on the issue of helicopters for Colombia. It is extremely unfortunate, however, that an issue of life and death for Colombian soldiers being sent into combat to fight well-armed drug traffickers and the 15,000-strong guerrilla army that protects them was predicated upon parochial considerations. Valid operational reasons existed for the decision by the Department of Defense and the Colombian Government to request Blackhawk helicopters, and the Senate's decision to substitute those Blackhawks for Huey IIs was among the more morally questionable actions I have witnessed within the narrow realm of budgetary decision-making by Congress.

Specific to the Military Construction Appropriations Act for Fiscal Year 2001, it continues to strain credibility to peruse this legislation and believe that considerations other than pork were at play. How else to explain the millions of dollars added to this bill for National Guard Armories, which, in a typically Orwellian gesture, are now referred to as "Readiness Centers?" Whether the \$6.4 million added for a new dining facility at Sheppard Air Force Base; the \$12 million for a new fitness center at Langley Air Force Base; the \$5.8 million for a joint personnel training center at Fairchild Air Force Base, Alaska; the \$3.5 million added for an indoor rifle range and \$1.8 million for a religious ministry facility at the Naval Reserve Station in Fort Worth, Texas; the \$4 million added for the New Hampshire Air National Guard Pease International Trade Port; the \$4 million for a Kentucky National Guard parking structure; and the \$14 million added for New York National Guard facilities all constitute vital spending initiatives is highly questionable.

There are one-and-a-half billion dollars worth of projects added to this bill at member request. Not all of them, in particular family housing projects, warrant criticism or skepticism. There are important quality of life issues involved here. The public should be under no illusions, however, that over a billion dollars was added to this bill solely as a manifestation of Congress' unrestrained pursuit of pork.

As mentioned, far more disturbing than the pork added to the military construction bill is the damage done to the integrity of the budget process by the abuse of the concept of emergency spending. Permit me to quote from the opening sentence from the Washington Post of June 29 with regard to this bill: "Republicans are trying to grease the skids for passage of a large emergency spending bill for Colombia and Kosovo with \$200 million of 'special projects' for members, and one of the biggest winners is a renegade Democrat being courted by the GOP."

That, Mr. President, summarizes the process pretty well. Military readiness and the situation in Colombia are not in and of themselves important enough to warrant support for this spending bill. It seems this Senate must have its pork. It must have its \$25 million for a Customs Service training facility at Harpers Ferry, West Virginia, a site most certainly chosen for its bucolic charm and operational attributes rather than for parochial reasons. It must have its \$225,000 for the Nebraska State Patrol Digital Distance Learning project. It must have over \$3 million earmarked for anti-doping activities at the 2002 Olympics, in addition to the \$8 million for Defense Department support of these essential national security activities on the ski slopes of Utah. It must have \$300,000 for Indian tribes in North Dakota, South Dakota, Montana and Minnesota. The hard-working taxpayers of America deserve better.

Those of us who had the misfortune of witnessing one of the most disgraceful and blatant explosions of pork-barrel spending in the annals of modern American parliamentary history, the ISTE bill of 1998, should be astounded to see the projects funded in this emergency spending bill:

\$1.2 million for the Paso Del Norte International Bridge in Texas;

\$9 million for the US 82 Mississippi River Bridge in Mississippi;

\$2 million for the Union Village/Cambridge Junction bridges in Vermont;

\$5 million for the Naheola Bridge in Alabama;

\$3 million for the Hoover Dam Bypass in Arizona and Nevada;

\$3 million for the Witt-Penn Bridge in New Jersey; and

\$12 million for the Florida Memorial Bridge in Florida.

These, Mr. President, are but the tip of the iceberg—an iceberg that shall not stand in the way of the icebreaker added to this bill, albeit for more credible reasons than the vast majority of member add-ons.

As I stated earlier, tracking the process by which the bill came before us was a truly Byzantine experience. The addition of \$600,000 for the Lewis and Clark Rural Water System in South Dakota serves as sort of a tribute to the unusual path down which this legislation has traveled. The most skilled legislative adventurers would be hard pressed to follow the trail this bill followed before arriving at its destination here on the floor of the Senate.

I cannot emphasize enough the significance of piling billions of dollars in pork and unrequested earmarks into a bill that was categorized for budgetary purposes as "emergency." Consider the distinction between emergency spending essential for the preservation of liberty and to deal with genuine emergencies that cannot wait for the usual annual appropriations process, and the manner in which Congress abuses that concept and undermines the integrity of the budgeting process. When I review

an emergency spending measure and read earmarks like \$2.2 million for the Anchorage, Alaska Senior Center; \$500,000 for the Shedd Aquarium/Brookfield Zoo for science education programs for local school students; \$1 million for the Center for Research on Aging at Rush-Presbyterian-St. Luke's Medical Center in Chicago; and \$8 million for the City of Libby in Montana, plus another \$3.5 million for the Saint John's Lutheran Hospital in Libby, I am more than a little perplexed about the propriety of our actions here.

Is the American public expected to believe that a spending bill essential for national security should include emergency funding for Dungeness fishing vessel crew members, U.S. fish processors in Alaska, and the Buy N Pack Seafoods processor in Hoonah, Alaska, research and education relating to the North Pacific marine ecosystem, and the lease, operation and upgrading of facilities at the Alaska SeaLife Center, and the \$7 million for observer coverage for the Hawaiian long-line fishery and to study interaction with sea turtles in the North Pacific. Finally, and not to belabor the point, is the \$1 million for the State of Alaska to develop a cooperative research plan to restore the crab fishery truly a national security imperative?

When the bill was on the floor of the Senate, my friend and colleague from Texas, Senator GRAMM, referred to the sadly typical smoke and mirrors budgeting gimmickry pervasive in the legislation. I am always disturbed when such budgeting gimmicks designed to prevent Congress from complying with the revenue and spending levels agreed to in the Budget Resolution are employed. While I am grateful that a deal was struck by which they will be reversed in another bill, the use of such gimmicks is a betrayal of our responsibility to spend the taxpayers' dollars responsibly and enact laws and policies that reflect the best interests of all Americans. It is a betrayal of the public trust that is essential to a working democracy.

The bill, as currently written and signed into law, waives the budget caps to allow for more discretionary spending. It also waived the firewall in the budget resolution between defense and nondefense spending on outlays. The end result would be that Congress would have the freedom to move the \$2.6 billion the Defense Appropriations Subcommittee did not spend on much-needed readiness into non-defense spending.

The recently-passed legislation further changes current law and shifts the payment date for SSI, the Supplemental Security Income program, from October back to September. What that would do is shift money into fiscal year 2000. In the process, it would allow \$2.4 billion more be spent in fiscal year 2001 by spending that same amount of money in the previous year. The legislation also includes the gimmick of moving the pay date for veterans' com-

pensation and pensions from fiscal year 2001 to fiscal year 2000. Both of these provisions are further examples of the irresponsible budget gimmickry that allows the Congress to spend more without any accountability. I am thankful that a commitment was made to reverse these decisions in subsequent legislation; I abhor the fact that they will almost certainly be used again in the future.

To conclude, the Military Construction and Emergency Supplemental Appropriations bill passed prior to recess, and without members of the Senate having a realistic opportunity to review that multibillion dollar commitment, is a travesty, a thorough slap in the face of all Americans concerned about fiscal responsibility, national security, the scourge of drugs on our streets, and the integrity of the representation they send to Congress. We should be ashamed of ourselves for passing this bill. Unfortunately, shame continues to elude us, and the country, and our democracy, is poorer for that flaw in our collective character.

#### VICTIMS OF GUN VIOLENCE

Mr. DURBIN. Mr. President, it has been more than a year since the Columbine tragedy, but still this Republican Congress refuses to act on sensible gun legislation.

Since Columbine, thousands of Americans have been killed by gunfire. Until we act, Democrats in the Senate will read some of the names of those who lost their lives to gun violence in the past year, and we will continue to do so every day that the Senate is in session.

In the name of those who died, we will continue this fight. Following are the names of some of the people who were killed by gunfire one year ago today.

July 11, 1999:

Thomas Erwin, 36, Oklahoma City, OK; Bernard Harrison, 17, Baltimore, MD; Anthony L. Holt, 28, Chicago, IL; Judy Holt, 47, Dallas, TX; Christopher F. James, 34, Oklahoma City, OK; Byron Sanders, 17, Baltimore, MD; Eugene Smith, 21, Charlotte, NC; Nakia Walker, 25, Washington, DC; Unidentified male, 23, Newark, NJ.

#### FISCAL YEAR 2001 LABOR-HHS-EDUCATION APPROPRIATIONS AND THE MILITARY CONSTRUCTION APPROPRIATIONS CONFERENCE REPORT

Mr. VOINOVICH. Mr. President, on June 30, the Senate passed S. 2553, the Fiscal Year 2001 Labor-HHS-Education Appropriations bill, by a vote of 52-43. I voted against this measure because of my belief that it provides an unjustified increase in federal spending and employs a variety of gimmicks that are meant to hide the true size of its costs.

As my colleague from Texas, Senator GRAMM, recently pointed out, the fiscal year 2001 Labor-HHS bill increases discretionary spending by more than 20